

(4) in that the statement "Genuine Italian", contained in said circular, was false and misleading with respect to the geographical origin of the article, since it was not a genuine Italian article; and (5) in that the package failed to bear on its label a statement of the quantity or proportion of alcohol contained in the article. Said article was alleged to be misbranded further in that the following statements contained false and fraudulent curative or therapeutic claims: (Bottle labels) "Perfect \* \* \* Dandruff Remedy \* \* \* This preparation applied to scalp prevents Dandruff and Eczema. Keeps the hair from falling, strengthens the growth \* \* \* Tonic. \* \* \* for the eradication of dandruff and to aid in the destruction of bacteria infesting the scalp. \* \* \* for the purpose of \* \* \* keeping the scalp in a healthy normal condition. \* \* \* If properly used marvelous results will be obtained for all kinds of scalp ailments. \* \* \* First massage the scalp with the palm and finger tips for 90 seconds. This will awaken dormant hair cells and stimulates scalp action. Then apply Olivo Hair Tonic—rub lightly until it is absorbed by the corium. Repeat this treatment twice a week until desired results are obtained"; (wrapper around the bottles) "Tonic \* \* \* Guaranteed to Eradicate Dandruff End Itchy Scalp Stop Falling Hair \* \* \* Prevents Dandruff, Eczema. Retards falling hair, \* \* \* One of the most important marks \* \* \* is a healthy, well kept head of hair. \* \* \* for the purpose of \* \* \* keeping the scalp in a healthy normal condition. \* \* \* Olivo will promote the growth of hair by preventing dandruff and eczema, \* \* \* If properly used, marvelous results will be obtained for all kinds of scalp ailments. The medicinal ingredients in this preparation are beneficial for the eradication of dandruff and aid in the destruction of scalp bacteria. \* \* \* First massage the scalp with the palm and finger tips for 90 seconds. This will awaken dormant hair cells and stimulates scalp action. Then apply Olivo—rubbing lightly until it is absorbed by the corium."

The Olivo Hair Oil was alleged to be misbranded: (1) In that the word "Olivo", appearing in the labeling, was false and misleading in that it represented that the article was an olive-oil preparation, whereas it was not an olive-oil preparation; and (2) in that the statement "Genuine Italian", appearing in the labeling, was false and misleading with respect to the geographical origin of the article, since it was not a genuine Italian article. Said article was alleged to be misbranded further in that the following statements, appearing upon the label, contained false and fraudulent curative or therapeutic claims: "This preparation applied to scalp prevents Dandruff and Eczema. Keeps the hair from falling strengthens the growth."

On September 24, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**26773. Misbranding of Chambers' Pills, Chambers' Cold Tablets, and Help Nature Tablets. U. S. v. 21 Boxes of Chambers' Pills, 9 Boxes of Chambers' Cold Tablets, and 21 Boxes of Help Nature Tablets. Default decrees of condemnation and destruction. (F. & D. nos. 38268, 38269, 38270. Sample nos. 5514-C, 5515-C, 5516-C.)**

The packages or labels of these products contained false and fraudulent representations regarding their curative or therapeutic effects; the label of Chambers' Cold Tablets bore a false and misleading representation that they would produce no bad effects.

On September 15, 1936, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 21 boxes of Chambers' Pills, 9 boxes of Chambers' Cold Tablets, and 21 boxes of Help Nature Tablets at Highland, Ohio. It was alleged that the articles had been shipped in interstate commerce on or about June 15, 1936, by Chambers' Medicine Co. from St. Louis, Mo., and that they were misbranded in violation of the Food and Drugs Act as amended.

Analysis of Chambers' Pills showed that they consisted essentially of potassium nitrate, potassium carbonate, and plant drugs including buchu, coated with calcium carbonate and green-colored sugar. Said article was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the packages and contained in a circular enclosed therein, falsely and fraudulently represented that the article would be effective as a remedy for kidney complaints and diseases arising from disorders of the kidneys and bladder, such as backache, weak back, rheumatism, dropsy, congestion of the kidneys, inflammation of the bladder, scalding urine and urinary trouble; effective to

clean the system and purify the blood; effective as a remedy or cure for pains in the back, scanty urine, too frequent desire to urinate, depressed and tired feeling, aching limbs, restlessness at night, irritability, continuous thirst, pains in the groin, sediment in the urine, burning sensation, backache or weak back, irritation of the bladder; effective as a preventive of serious troubles, such as gallstones, gravel, diabetes, and Bright's disease; effective as a remedy or cure for kidney and bladder troubles and as a preventive of kidney diseases in women; effective as a remedy or cure for excessive discharges, leucorrhea or whites, and sediment in the urine; effective to assist the kidneys in passing off uric poison from the system, and to relieve dragging pains, aching joints, and irritated and inflamed parts due to the presence of such poisons; and effective to ease aches and pains in the region of the kidneys and bladder, and to enable the kidneys to pass off the poisons that cause irritation and inflammation in the bladder and urinary tract.

Analysis of Chambers' Cold Tablets showed that they consisted essentially of acetanilid, and plant drugs including a laxative plant drug. Said article was alleged to be misbranded in that the statement "No Bad Effects", borne on the package labels, was false and misleading since it contained acetanilid, which might produce bad effects. Said article was alleged to be misbranded further in that statements regarding its curative or therapeutic effects, borne on the package label, falsely and fraudulently represented that it would be effective as a treatment or remedy for la grippe; effective as a remedy for coughs, and to relieve the cough and the feverish conditions usually associated with colds; and effective to arouse the liver and all the secretions to action.

Analysis of the Help Nature Tablets showed that they consisted essentially of phenolphthalein, and plant drugs including a laxative plant drug. Said article was alleged to be misbranded further in that the following statements borne on the box labels, regarding its curative and therapeutic effects, were false and fraudulent: "For \* \* \* Dyspepsia. \* \* \* Better Than Pills for Liver Trouble \* \* \* For the Stomach, Kidneys, Liver and Blood."

On October 26, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**26774. Misbranding of Silver Crown Hair-Scalp Tonic. U. S. v. 69 Bottles, 65 Bottles, 69 Bottles, and 18 Cases of Silver Crown Hair-Scalp Tonic. Default decrees of condemnation and destruction. (F. & D. nos. 38108, 38276, 38277, 38905. Sample nos. 66598-B, 11871-C, 11872-C, 12152-C.)**

A circular enclosed in the packages containing this product represented that it contained no alcohol, when it did contain alcohol; the packages failed to bear a statement of the quantity or proportion of alcohol that it contained, and the packages and the enclosed circular bore and contained false and fraudulent representations regarding its curative or therapeutic effects.

On August 4 and September 14, 1936, the United States attorney for the District of Rhode Island, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 134 bottles of Silver Crown Hair-Scalp Tonic at Providence, R. I., and 69 bottles at West Warwick, R. I. On January 5, 1937, the United States attorney for the District of Massachusetts filed in the district court a libel praying seizure and condemnation of 18 cases of such article at New Bedford, Mass. It was alleged that it had been shipped in interstate commerce on or about March 26 and April 8, 1936, by the Silver Crown Remedies Co., from Kingston, N. Y., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analyses of samples of the article showed that it consisted essentially of water, alcohol (from 1 to 1.6 percent by volume), quinine hydrochloride, glycerin, and small quantities of iron compounds, sodium compounds, sulphates, perfume, and coloring material.

The article was alleged to be misbranded: (1) In that the statement "containing \* \* \* no alcohol", appearing in a circular enclosed in the packages, was false and misleading in that it did contain alcohol; (2) in that the packages failed to bear a statement of the quantity or proportion of alcohol contained therein; (3) in that the following statements regarding its curative or therapeutic effects, borne on the bottle labels and contained in an accompanying circular, falsely and fraudulently represented that it was capable of producing the effects claimed in said statements: (Bottle label) "Tonic A scientific remedy guaranteed to be effective when applied to the scalp for Dandruff, Itching Scalp, Falling Hair, Eczema and other Scalp Conditions. \* \* \* Apply daily until the condition lessens, then every other day until